

Crl.M.P.No. 7445 of 2017

in

Crl.A.No.319 of 2017

V.BHARATHIDASAN, J.,

The petitioner seeks suspension of his sentence of imprisonment in Crl.M.P.No.7445 of 2017.

2. The petitioner faced trial in S.C.No.145 of 2016 on the file of the Mahila Court, Salem, and the trial Court, by a judgment dated 31.05.2017, convicted the accused under Section 417 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act 1998 and sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for 3 months for the offence under Section 417 IPC and to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for 3 months and acquitted him from the offences under Sections 450 and 376 IPC. The trial Court ordered the sentences to run concurrently.

3. Challenging the above said conviction and sentence, the present appeal has been filed along with this petition for suspension of sentence.

4. The learned counsel appearing for the petitioner submits that the Court below partly disbelieving the evidence of P.W.1 acquitted the petitioner from the charges under Sections 450 and 376 IPC and erroneously convicted him under Section 417 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act 1998 .

V.BHARATHIDASAN, J.,

mrp

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl. Side) appearing for the respondent and perused the impugned judgments and the materials available on record.

6. Taking into consideration of the submission of the learned counsel appearing for the petitioner, since there are some arguable points involved in the appeal, I am inclined to suspend the substantive sentence of imprisonment alone.

7. Accordingly, pending appeal, **substantive sentence of imprisonment alone is suspended** and the petitioner is released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the Sessions Judge, Mahila Court, Salem, with further condition that he shall appear before the said court on the first working day of every month at 10.30 a.m., until further orders.

16.06.2017

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